

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDDIE DUNBAR,  
Plaintiff,  
v.  
A. DAHLBERG, et al.,  
Defendants.

Case Nos. [23-cv-00905-AMO](#) (PR)

**ORDER DENYING REQUEST TO  
STAY MERITS-BASED DISCOVERY;  
AND DIRECTING DEFENDANTS TO  
FILE ONE MOTION FOR SUMMARY  
JUDGMENT**

Re: Dkt. No. 32

EDDIE DUNBAR,  
Plaintiff,  
v.  
G. DARRETT, et al.,  
Defendants.

Case No. [23-cv-00906-AMO](#) (PR)

**ORDER DENYING REQUEST TO  
STAY MERITS-BASED DISCOVERY;  
AND DIRECTING DEFENDANTS TO  
FILE ONE MOTION FOR SUMMARY  
JUDGMENT**

Re: Dkt. No. 29

Before the Court in the above-captioned actions are Defendants’ administrative motions to stay merits-based discovery pending resolution of a summary-judgment motion based on *Heck v. Humphrey*, 512 U.S. 477 (1994), and if the Court denies the motion, for an extension of time to file a second, merits-based summary-judgment motion sixty-days from the date the Court issues its order denying the *Heck* motion.

Prior to the instant motions, Defendants requested in each action “that the Court modify its scheduling order and set a new briefing schedule that accommodates Defendants’ need to investigate facts and prepare a summary-judgment or other dispositive motion.” Dkt. 30 at 2 in Case No. 23-cv-00905-AMO (PR); Dkt. 27 at 2 in Case No. 23-cv-00906-AMO (PR). The Court

1 granted Defendants' requests to set a new briefing schedule in both actions, and the motions for  
2 summary judgment are due on June 25, 2024. *See* Dkt. 31 in Case No. 23-cv-00905-AMO (PR);  
3 Dkt. 28 in Case No. 23-cv-00906-AMO (PR).

4 Defendants' administrative motions to stay merits-based discovery and file more than one  
5 motion for summary judgment are **DENIED**. *See* Standing Order for Civil Cases, Section E.1.  
6 Moreover, the Court has already granted Defendants a previous extension of time to file their  
7 motions for summary judgment.

8 Accordingly, Defendants shall file one motion for summary judgment in each case no later  
9 than **June 25, 2024**. The plaintiff's opposition must be submitted in each case no later than  
10 **twenty-eight (28) days** after the date on which Defendants' motion is filed. Defendants shall file  
11 a reply brief in each case no later than **fourteen (14) days** after the plaintiff's opposition is filed.

12 This Order terminates Docket No. 32 in Case No. 23-cv-00905-AMO (PR) and Docket No.  
13 29 in Case No. 23-cv-00906-AMO (PR).

14 **IT IS SO ORDERED.**

15 Dated: May 21, 2024

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18 **ARACELI MARTÍNEZ-OLGUÍN**  
19 **United States District Judge**  
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